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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CALIFORNIA ADVOCATES FOR  
NURSING HOME REFORM,

Plaintiff,

v.

DEPARTMENT OF HEALTH AND  
HUMAN SERVICES,

Defendant

No. C 10-0773 RS

STIPULATION AND ~~PROPOSED~~  
ORDER CONTINUING CASE  
MANAGEMENT CONFERENCE

Case Management Conference Currently  
Set for August 5, 2010 10:00 a.m.

This is a Freedom of Information Act case. This case is currently scheduled for an initial case management conference on August 5, 2010. The case management conference has previously been continued once due to the parties' request.

The parties have worked cooperatively toward resolving the merits of the case without court involvement and the government defendant has made a series of disclosures. As discussed in detail in the parties' previous joint case management statement, the parties believe

1 that the merits of the case are likely to be resolved or made moot without further involvement  
 2 of the Court or the Court's formal ADR procedures. Since the previous stipulated extension,  
 3 there have been some unforeseen complications in resolving the last of the issues in the merits  
 4 of the case, but the parties are still hopeful that the matter can be resolved without assistance  
 5 from the Court. After the merits are resolved, the parties will attempt to resolve plaintiff's  
 6 claims for attorneys' fees. If they are unable to settle that claim, plaintiff may bring a motion  
 7 for attorneys' fees.

8 In order to allow time to try to resolve the remaining issues in this case, the parties  
 9 hereby STIPULATE and respectfully request that the case management conference set for  
 10 August 5, 2010 be continued to September 9, 2010.

11 Respectfully submitted,  
 12 DATED: July 23, 2010 LAW OFFICES OF AMITAI SCHWARTZ  
 13 /s/ Amitai Schwartz

14 AMITAI SCHWARTZ  
 15 Attorney for Plaintiff  
 16 DATED: July 26, 2010 JOSEPH P. RUSSONIELLO  
 17 United States Attorney

18 /s/ Claire T. Cormier  
 19 CLAIRE T. CORMIER<sup>1</sup>  
 20 Assistant United States Attorney

21 ~~PROPOSED~~ ORDER

22 Pursuant to the stipulation of the parties and good cause appearing, IT IS HEREBY  
 23 ORDERED that the initial case management conference for this case is continued to September  
 24 9, 2010 at 10:00 a.m.

25  
 26 DATED: 7/26/10

27   
 28 Richard Seeborg  
 United States District Judge

<sup>1</sup> I, Claire T. Cormier, hereby attest that I have on file all holographic signatures for any signatures indicated by a "conformed" signature (/s/) within this e-filed document.